

## **ARTICLE V**

### **SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED**

#### **5-101 Conceptual Plan**

##### **5-101.1 Site Analysis**

Conceptual plans submitted to the planning commission are intended to provide an analysis of each site's special features and the designers response to those features. Such plans are required for all major subdivisions, as they form the basis of the design process for greenway lands, house locations, street alignments, and lots lines.

A site analysis shall accompany each conceptual plan. As a minimum, the site analysis must include

1. A contour map base at least upon topographical maps published by the U.S. Geological Survey;
2. The location of severely constraining elements such as steep slopes (over twenty (20) percent), wetlands, watercourses, intermittent streams and 100-year floodplains, and all existing rights-of-way and easements;
3. Soil boundaries as shown on USDA Natural Resources Conservation Service medium-intensity maps; and
4. The location of significant features such as woodlands, tree lines, open fields or meadows, scenic views into or out from the property, watershed divides and drainage ways, fences or stone walls, rock outcrops, and existing structures, roads, tracks and trails.

##### **5-101.2 Features of Conceptual Plans**

The Site Analysis shall form the basis for the conceptual plan, which shall show the tentative location of houses, streets, lot lines, and greenway lands in new residential subdivisions. The conceptual plan shall, as a minimum, show:

1. a scale drawing of the property indicating the size of the original tract(s) being subdivided and the names of the owners of adjoining property;
2. notation of any existing legal rights-of-way, easements, or other encumbrances affecting the property;
3. a contour base map at least on topographical maps published by the U.S. Geological survey, with contours shown at intervals no greater than five (5) feet, extended into adjacent properties;

4. the location of all “Land Unsuitable for Development” as specified in Subsection 4-101.401, of these regulations.
5. the location of (and proposed protective measures for) all watercourses and intermittent streams;
6. the general location of proposed streets and building lots;
7. in any instance where septic sewage disposal is anticipated, soil boundaries as shown on USDA Natural Resources Conservation Service medium-intensity maps;
8. the location of significant features such as woodlands, tree lines, open fields or meadows and scenic views;
9. name of owner; name of plat designer; and zoning classification.
10. vicinity map of property, date and approximate north point;
11. proposed extension(s) of water and/or sanitary sewer service to the property along with the proposed routing of such within the subdivision; and
12. preliminary storm drainage design noting approximate volumes, direction of flows and location of proposed detention or retention areas.

#### **5-101.3 The Four-Step Design Process**

Each conceptual plan shall follow a four-step design process, as described below. When the conceptual plan is submitted, applicants shall be prepared to demonstrate to the planning commission that these four design steps were followed by their site designers in determining the layout of their proposed streets, house lots, and greenway lands.

##### **1. Designating Conservation Lands**

During the first step, all conservation lands shall be identified, using the Site Analysis. Conservation lands consist of wetlands, floodplains, slopes over twenty (20) percent, and all other portions of the site defined as “unsuitable for development” in Subsection 4-101.401, (Land Unsuitable for Development).

##### **2. Location of House Sites**

During the second step, potential house sites are tentatively located. Because the proposed location of houses upon each lot represents a significant decision with potential impacts on the ability of the development to meet the evaluation criteria contained in Subsection 4-102.102, (Evaluation Criteria), subdivision applicants shall identify tentative house sites on the conceptualual plan and actual house sites on the final plat. House sites should generally be located no closer than one-hundred (100) feet from conservation lands.

### 3. Street and Lot Layout

The third step consists of aligning proposed streets to provide vehicular access to each house in the most reasonable and economic way. When lots and access streets are laid out, they shall be located in such a way as to avoid, or at least minimize, adverse impacts on conservation lands. To the greatest extent practicable, wetland crossings and streets traversing existing slopes over fifteen (15) percent shall be strongly discouraged. Street connections shall generally be encouraged to minimize the number of new cul-de-sacs to be maintained by the city and to facilitate easy access to and from homes in different parts of the property (or on adjoining parcels). Where cul-de-sacs are necessary, those serving six (6) or fewer homes may be designed with “hammer-heads” facilitating three-point turns.

The city generally encourages creation of single-loaded residential access streets in order that the maximum number of homes in new developments may enjoy views of open space.

Note that in situations where more formal “neo-traditional” or village-type layouts are proposed, Steps Two and Three may be reversed, so that the location of house sites follows the location of streets and squares.

### 4. Lot Lines

The fourth step is simply to draw in the lot lines (where applicable). These are generally drawn midway between the house locations and may include L-shaped “flag lots”.

## **5-102 Preliminary Plat**

### **5-102.1 General**

The preliminary plat shall be prepared by a surveyor, landscape architect, architect, land planner, or engineer engaged in the practice of civil engineering, at a convenient scale no smaller than one hundred (100) feet to an inch. The sheets shall be numbered in sequence if more than one sheet is used.

### **5-102.2 Features**

The preliminary plat shall include:

1. the location of the property to be subdivided with respect to surrounding properties and public ways;
2. the names of all adjoining property owners of record, or the names of adjoining developments;
3. the names of adjoining public ways;

4. the location and dimensions of all boundary lines of the property, figured to the nearest one hundredth (1/100) of a foot;
5. the location of existing public ways, easements, water bodies, wetlands, streams, and other pertinent features, such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, and bridges, as determined by the planning commission;
6. the location and width of all existing and proposed easements, alleys, and other public ways, and building setback lines;
7. the location, dimension, and area of all proposed or existing lots;
8. within proposed condominium developments, the position of all existing or proposed buildings;
9. the location and dimension of all "conservation lands" and any other property proposed to be set aside for park or playground use or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation;
10. the limits of floodway and floodplain and the associated one-hundred year regulatory flood elevation and regulatory flood protection elevation, of two (2) feet above the elevation of the one-hundred year regulatory flood.
11. the name and address of the owner(s) of land to be subdivided, the subdivider if other than the owner, and the land surveyor or other person preparing the plat;
12. the date of the plat, approximate true north point, scale, and title of the subdivision;
13. sufficient data to determine readily the general location, bearing, and length of all lines necessary to reproduce such lines within the area to be subdivided;
14. name of the subdivision and all new public ways, as approved by the planning commission;
15. the functional classification (See Section 4-104, (Functional Design Criteria), of all proposed streets along with designation of construction routes as required by Subsection 4-103.209, (Designation of Construction Routes);
16. the zoning classification of all lots, as well as an indication of all uses, other than residential, proposed by the subdivider;
17. the distance and bearing of one of the corners of the boundary of the subdivision to the nearest intersection of an existing public street and to the original corner of the original survey of which it is a part;

18. key map showing relation of the subdivision to all public ways, railroads, and water courses in all directions to a distance of at least one-half (1/2) mile (suggested scale: one (1) inch to one thousand (1,000) feet);
19. contours at vertical intervals of not more than two (2) feet where the proposed subdivision has an average slope of five (5) percent or less, or at vertical intervals of not more than five (5) feet where the average slope exceeds five (5) percent (contours to be field surveyed or taken from map information acceptable to the planning commission);
20. map and parcel numbers as recorded on the land tax maps of the county;
21. The following notations:
  - (a) explanation of drainage easements;
  - (b) explanation of site easements;
  - (c) explanation of reservations; and
  - (d) for any lot where public sewer or water systems are not available, the following:
    - (i) areas to be used for sewage disposal and their percolation results, or if the planning commission desires, any other acceptable data to show that the site can be served effectively by septic tanks;
    - (ii) water wells (existing and proposed); and
    - (iii) rock outcroppings, marshes, springs, sinkholes, natural storm drains, and other outstanding topographical features;
22. draft of proposed restrictive covenants, if any, to be imposed and designation of areas subject to special restrictions; and
23. a form for endorsement of planning commission approval of the preliminary plat that shall read as follows:

**This preliminary plat was tentatively approved by the Portland Regional Planning Commission, with such exceptions or conditions as indicated in the minutes of the commission on \_\_\_\_\_.**  
**(date)**

**This approval shall not become final and no grading or construction shall take place until construction plans containing the information required by Section 5-103, of the Subdivision Regulations are approved.**

**\_\_\_\_\_  
Secretary of Planning Commission**

## **5-103    Construction Plans**

### **5-103.1    General**

Construction plans drawn at a scale of no more than fifty (50) feet to an inch shall be prepared for all improvements required by these regulations. **Approval of construction plans must precede any clearing, grading, or site construction and no action by the planning commission tentatively approving a preliminary plat shall become final until construction plans have been approved.** All construction plans shall be prepared and stamped by a Tennessee licensed engineer engaged in the practice of civil engineering. The territory included within construction plans shall correspond to that included within the proposed preliminary plat.

### **5-103.2    Features**

The following shall be shown on the construction plans:

1. Profiles showing existing and proposed elevations along centerlines of all public ways.
2. Where a proposed road intersects an existing public way or ways, the elevation along the centerline of the existing public way within one hundred (100) feet of the intersection.
3. Approximate radii of all curves, lengths of tangents, and central angles on all public ways.
4. Stationing of all proposed public ways. Horizontal stationing shall be at fifty (50) foot intervals and cross-sectional elevations shall be to an accuracy of one tenth (1/10) foot vertical on a line at right angles to the center line of the public way at the following points: the center line of the public way, each property line, and points twenty-five (25) feet inside each property line.
5. Plans and profiles indicating the locations and typical cross-section of public way pavements, including curbs and gutters, sidewalks, drainage easements, rights-of-way, manholes, and catch basins.
6. The location of public way signs.
7. The location, size, and invert elevations of existing and proposed sanitary sewers, stormwater drains, and fire hydrants, showing connection to any existing or proposed utility system.
8. Location and size of all water, gas, or other underground utilities or structures.
9. Location, size, elevation, and other appropriate description of any existing facilities or utilities, including but not limited to, existing public ways, sewers, drains, water mains, easements, water bodies, streams, and other pertinent features, such as swamps, railroads, buildings, and features noted on the land development plan or major street or road plan.

10. The water elevations of adjoining lakes or streams and the approximate high- and low water elevations of such lakes or streams shall be shown. All elevations shall be referred to the U.S.G.S. datum plane.
11. If the subdivision borders a lake, river, or stream, the distance and bearings of a meander line established not less than twenty (20) feet back from the ordinary high-water mark of such waterways.
12. The developer shall submit a storm water drainage report prepared by a Tennessee registered engineer. The developer shall also prepare for any portion of a subdivision containing a flood prone area, or an area known to be subject to flooding, information necessary for the planning commission to determine the suitability of the particular site for the proposed development, as follows:
  - (a) plans drawn to scale showing the nature, location, dimensions, and elevation of any part of the subdivision within a flood prone area; existing or proposed structures or building sites, fill, storage of materials and floodproofing measures, as specified in these regulations; and the relationship of the above to the location of the stream channel, floodway, floodway fringe, the regulatory flood elevation, and the regulatory flood protection elevation;
  - (b) a typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and high-water information, if required by the planning commission;
  - (c) surface-view plans showing elevations and contours of the ground;
  - (d) pertinent structures, fill, or elevations of public ways;
  - (e) water supply, sanitary facilities, soil types, and other pertinent information, as required by the planning commission; and
  - (f) specifications for building construction and materials, flood proofing, filling, dredging, grading, storage of materials, water supply, and sanitary facilities.
13. Contours at the same vertical interval as the preliminary plat.
14. In addition to the other requirements of this section, construction plans for condominium subdivisions shall contain "as built" drawings of all underground utilities, regardless of proposed ownership, and the construction design of all public facilities which are proposed for dedication to the governing body.
15. A notation of construction plans approval by appropriate persons or governmental representatives.

16. Title, name, address, stamp and signature of engineer who prepared the plans.
17. Date of plans, including any revision dates.
18. An erosion and sediment control plan shall be prepared for each development submitting construction plans. Such plan shall demonstrate the manner in which the general principals for erosion and sediment control set out in Subsection 4-102.603, (Erosion and Sediment Control) are to be implemented on the site covered by the construction plans.

### **5-103.3 Storm Water Report**

A comprehensive storm water report shall accompany the construction plans. As a minimum this report shall include the following:

1. Maps showing pre-construction and post-construction drainage areas (basins) and sub-areas (sub-basins) including those located within the project site and area up-stream that is off-site. At least one separate drainage sub-area shall be identified for each existing and proposed drainage structure, culvert, ditch or swale.
2. The permanent hydrologic data for each sub-area including total land area, appropriate runoff coefficient, time of concentrations as calculated using the SCS-TR-55 method or approved equal, total runoff for the two (2), five (5), twenty-five (25) and one-hundred (100) year storm events for each area using the SCS-TR-55 method or rational method.
3. Hydraulic capacity of existing and proposed storm water conveyance structures and channel as located on the site and off-site (two structures downstream). Each structure or channel shall be capable of passing the twenty-five (25) year storm event without surcharge. Each structure and/or channel shall be designed to not cause flooding of any structure during the one-hundred (100) year event.
4. Net pre-construction and post construction runoff exiting the site resulting from the two (2), five (5), twenty-five (25) and one-hundred (100) year storm events using the SCS-TR-55 method or rational method.
5. Detention pond inflow/outflow calculations for the two (2), five (5), twenty-five (25) and one-hundred (100) year storm events.
6. Erosion control calculations for each channel based on the two (2) and one-hundred (100) year events.
7. Erosion control calculations for slopes having a grade of twenty (20) percent or greater and a length longer than twenty (20) feet for the two (2) year event.
8. Summary of BMP measures taken to enhance storm water quality.
9. Compliance with all regulations set forth in these regulations.



#### **5-103.4 Content of Development Agreement**

The development agreement required by Subsection 2-104.4, (Preparation of Development Agreement) shall be sufficient to assure construction of the following:

1. All off site improvements required to serve the development.
2. All on site improvements located within the section of the project contained within the construction plans, including improvements that are required to serve future portions of the development not contained within the plans.
3. All improvements required to serve the lots shown on the plan that are not constructed and offered for public acceptance prior to or concurrently with submittal of final plats covering such lots.

#### **5-104 Final Subdivision Plat**

##### **5-104.1 General**

The final subdivision plat shall be prepared on transparent drafting material at a scale no smaller than fifty (50) feet to the inch on sheets of county register plat book size. The use of an appropriate smaller scale may be permitted for lots larger than two (2) acres. When more than one (1) sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets numbered in sequence.

##### **5-104.2 Features**

The final plat shall include:

1. The location of the property to be subdivided with respect to surrounding property(s) and public ways.
2. The names of all adjoining property owners of record or the names of adjoining developments.
3. The names of adjoining public ways.
4. The exact boundary lines of the tract, determined by a field survey, showing angles to the nearest minute and distance to the nearest one hundredth (1/100) of a foot. The adjusted accuracy of the survey shall meet or exceed the standards set forth in Title 62, Chapter 18, of the Tennessee Code, for a Category II (Suburban Subdivision). The survey shall be tied into the Tennessee Grid Coordinate System.

A distance and bearing shall be provided which will link a point on the boundary of the subdivision to a monument in the right-of-way of the nearest prominent public way intersection.

5. The location of all public ways, easements, water bodies, streams or rivers, railroads, parks, and cemeteries.
6. The limits of floodway and floodway fringe areas and the regulatory flood elevation and regulatory flood protection elevation; as determined by the planning commission.
7. The location and width of all easements and rights-of-way for public ways, as well as the building setback lines on all lots.
8. The location, dimensions, and area of all lots. All dimensions shall be field run to the nearest one hundredth ( $1/100$ ) of a foot and angles to the nearest minute. Lot areas shall be shown to the nearest tenth ( $1/10$ ) of a square foot.
9. The location, area, and dimensions, to the accuracy set forth in Item 8, above, of all property to be set aside for park or playground use or other public or private reservation, with a designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
10. The final plat of a condominium subdivision shall contain, in addition to the other information required by this section:
  - (a) an "as-built" building location and boundary survey, to "American Land Title Association" or other similar standards, showing complete and accurate dimensions and angles of the boundary of the parcel(s) on which the condominium is located, together with exterior dimensions and locations relative to those boundaries of the building(s) which constitute the condominium subdivision;
  - (b) some sort of datum plane or other suitable vertical location reference. In meeting these requirements, it is only necessary that the upper and lower limits of each level of each condominium unit be identified specifically in relation to the vertical reference, (e.g., an appropriate permanent monument or other acceptable reference datum or fixed known point). Elaborate exterior elevations and architectural detail are not necessary to satisfy this requirement; and
  - (c) copies of deed covenants, the charter and by-laws of any homeowners' association established; and special information which the planning commission may require to protect the rights of future owners of the condominium or the public in general.
11. The name and address of the owner(s) of the land being subdivided.
12. The name and address of the subdivider if other than the owner.
13. The name and stamp of the land surveyor or other person preparing the plat.

14. The date of the plat, approximate true north point, scale, and title of the subdivision.
15. Sufficient data to determine readily the location, bearing, and length of all lines necessary to reproduce such lines upon the ground. This shall include the radius, central angle, and tangent distance for the centerline of the curved public ways and curved property lines that are not the boundary of curved public ways. The location of all monuments and pins shall be indicated on the plat.
16. The names of all public ways.
17. The zoning classification of all lots as well as an indication of uses other than residential proposed by the subdivider.
18. The total acreage within the subdivision.
19. Lot numbers and street numbers.
20. The line size and location of water and sewer facilities.
21. The location of all fire hydrants.
22. The diameter and width of all driveway culverts.
23. For any lot where a public sewer or water system is not available, the following shall be shown:
  - (a) areas to be used for sewage disposal; and
  - (b) water wells (existing and proposed).
24. Applicable certifications in the form reproduced in this section shall appear upon the final plat. All required certificates shall bear the signature of the approving or authorizing agent at the time of application for final plat approval, except that the form for endorsement of the planning commission's approval for recording shall appear unsigned at the time of application for approval.
25. Commitment notes may be printed or stamped on the final plat reflecting location and dimension of easements, or extent of other agreements or factual data, in lieu of drafted illustration, when applicable, and as approved by the planning commission.

#### **5-104.3 Plat Certificates**

1. Certification showing that the applicant is the landowner; that he offers for dedication public ways, rights-of-way, and any site for public use; and that he consents to the subdivision plan.

### **CERTIFICATE OF OWNERSHIP AND DEDICATION**

I (we) hereby certify that I am (we are) the owners of the property shown and described hereon and that I (we) adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks and other open spaces to public and private use as noted, along with all necessary easements for the construction of cut and fill slopes, cut and fill ramps, inlet and outlet ditches or channel changes beyond the right-of-way limits of the road.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Title (if acting for partnership or corporation)

2. Certification by a registered land surveyor as to the accuracy of the land survey.

### **CERTIFICATE OF ACCURACY**

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Portland Municipal-Regional Planning Commission and that the monuments have been placed as shown hereon.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registered Surveyor

3. Certification by appropriate governmental or quasi-governmental official(s) that sewage disposal and/or water system(s) has/have been installed.

### **CERTIFICATE OF APPROVAL OF UTILITY SYSTEMS**

I hereby certify that the following utility systems outlined or indicated hereon have been installed in accordance with current local and/or state government requirements.

#### **Water System**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature

#### **Sewer System** (if applicable)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature

**CERTIFICATE OF GENERAL APPROVAL FOR INSTALLATION  
OF SUBSURFACE SEWAGE DISPOSAL WITH RESTRICTIONS**

General approval is hereby granted for the proposed subdivision hereon as being suitable for subsurface sewage disposal with the listed and/or attached restrictions. Before the initiation of construction, the local health authority shall approve the location of the house or other structure and plans for the subsurface sewage disposal system.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Local Health Authority

Lot(s) # \_\_\_\_\_, shall not have a residence with more than \_\_\_\_\_, bedrooms, unless, otherwise, approved by the local health authority.

**CERTIFICATE OF ACKNOWLEDGMENT OF UTILITY BOND**

I hereby certify: (1) that utilities have been installed in an acceptable manner and according to specifications; or (2) that a security bond in the amount of \$\_\_\_\_\_, has been posted with the City of Portland, Tennessee, to assure completion of all required utility improvements in case of default.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name & Title

4. Certification on the final plat by the appropriate governmental representative that the subdivider has complied with one of the following:
- (a) installation of all public way improvements in accordance with the requirements of these regulations; or
  - (b) in lieu of compliance with subdivision improvement requirements, certification that surety has been posted by the subdivider in an amount approved by the appropriate governmental representative to guarantee completion of all improvements.

**CERTIFICATE OF APPROVAL OF PUBLIC WAYS OR BOND POSTING**

I hereby certify: (1) that all designated public ways on this final subdivision plat have been installed in an acceptable manner and according to the specifications of the Portland Subdivision Regulations; or (2) that a performance bond or other surety has been posted with the planning commission to guarantee completion of all required improvements in case of default.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Appropriate Governmental Representative

5. For a subdivision containing common open space or facilities, certification on the final plat of dedication of common areas in accordance with procedures established in these regulations.

**CERTIFICATION OF COMMON AREAS DEDICATION**

\_\_\_\_\_ in recording this plat has designated certain areas of land shown hereon as common areas intended for use by the homeowners within \_\_\_\_\_ (Name of Subdivision), for recreation and related activities. The above-described areas are not dedicated for use by the general public, but are dedicated to the common use of the homeowners within the named subdivision.

"Declaration of Covenants and Restrictions", applicable to the above named subdivision, is hereby incorporated and made a part of this plat.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

6. Certification on the final plat of planning commission approval for recording of the plat.

**CERTIFICATE FOR APPROVAL FOR RECORDING**

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations, for Portland, Tennessee, except for variances, if any, as noted in the minutes of the planning commission and that it has been approved for recording in the Office of County Registrar.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary, Planning Commission

Void, unless recorded by:

\_\_\_\_\_  
Date

7. **Notation of Possible Flooding** -- If any portion of the land being subdivided is subject to flooding as defined in these regulations, a notation shall be made on the plat that development or modification of the land within any one-hundred year floodplain boundary delineated within the plat is prohibited. Development within known flood areas delineated on the plat shall be done in such a manner that any structure shall be protected against flood damage to at least two (2) feet above the known flood elevation, which elevation shall be stated in the notation. Any additional restrictions imposed by the planning commission upon development within flood prone areas also shall be indicated on the plat.

8. **Notation of Health Restrictions** -- Any modifications or limitations that may be imposed by the state or county health department shall be clearly indicated on the plat.
9. **Notation of Private Restrictions** -- Private restrictions and trusteeships and their periods of existence shall be indicated on the plat. Should these restrictions or trusteeships be of such length as to make their lettering impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat or, if the restrictions and trusteeships are of record, the plat shall note where they are recorded.

#### **5-105 Form of Dedication Offer**

The form of the offer of irrevocable dedication, required by Subsection 2-105.1, Item 5, of these regulations, shall be as reproduced in this section and approved by the city attorney. The form may be modified as required by the city attorney.

Copies of this form may be obtained at the office of the Enforcing Officer.

## **FORM FOR OFFER OF IRREVOCABLE DEDICATION**

**AGREEMENT** made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_, a \_\_\_\_\_, having its office and place of business at \_\_\_\_\_, Tennessee, hereinafter designated as the "local government".

**WHEREAS**, the Portland Municipal-Regional Planning Commission is in the process of approving a subdivision plat, entitled, \_\_\_\_\_, dated, \_\_\_\_\_ 20\_\_\_\_, and made by \_\_\_\_\_; and

**WHEREAS**, said map designates certain public improvements consisting of \_\_\_\_\_ to be dedicated to the City of Portland, free and clear of all encumbrances and liens, pursuant to the requirements of the planning commission and the local government; and

**WHEREAS**, the developer, simultaneously herewith, shall post a performance bond with the city for the construction, maintenance, and dedication of said improvements, if required;

**WHEREAS**, the developer is desirous of offering for dedication the said improvements and land to the city more particularly described in Schedule \_\_\_\_\_ attached hereto;

**WHEREAS**, the developer has delivered deeds of conveyance to the city for the said land and improvements as described herein;

**NOW, THEREFORE**, in consideration of the sum of one dollar (\$1.00) lawful money of the United States paid by the city to the developer and other good and valuable consideration, it is mutually **AGREED** as follows:

- A.** The developer herewith delivers to the city deeds of conveyance for the premises described in Schedule \_\_\_\_\_, attached hereto, said delivery being a formal offer of dedication to the city until the acceptance or rejection of such offer of dedication by the city.
- B.** The developer agrees that said formal offer of dedication is irrevocable and can be accepted by the city at any time.
- C.** The developer agrees to complete the construction and maintenance of the land and improvements pursuant to the development agreement, performance bond and the requirements of the Portland Municipal-Regional Planning Commission and any ordinances, regulations, requirements, covenants, and agreements that may be imposed by the city with respect thereto and, upon acceptance by the city of the offer of dedication, furnish to the city a sworn statement certifying that the premises are free and clear of all liens and encumbrances and shall furnish to the city a check for all necessary fees and taxes to record the deeds heretofore delivered.



- D. That this irrevocable offer of dedication shall run with land and shall be binding on all assigns, guarantees, successors, or heirs of the developer.

\_\_\_\_\_, 20\_\_\_\_  
Date

\_\_\_\_\_  
Developer or Designated Principal

ATTEST:                      FOR THE CITY OF: \_\_\_\_\_

BY: \_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_

**ACKNOWLEDGMENT:  
COPARTNERSHIP**

**STATE OF TENNESSEE**

(COUNTY OF \_\_\_\_\_)                      SS: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared

\_\_\_\_\_, to me known and known to me to be one of the firm \_\_\_\_\_, described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed such instrument as and for the act and deed of said firm.

\_\_\_\_\_  
Designated Principal

**STATE OF TENNESSEE**

(COUNTY OF \_\_\_\_\_)                      SS: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared

\_\_\_\_\_, to me known, who, being by me first duly sworn, did depose and said that he resides in \_\_\_\_\_; that he is the \_\_\_\_\_ of \_\_\_\_\_, the corporate seal affixed to said instrument is such corporate seal; that it was so affixed by order and authority of the Board of Directors of said corporation, and that he signed his name thereto by like order and authority.

\_\_\_\_\_  
Designated Principal

**CORPORATE SEAL**